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Attorneys for Defendants PRETI FLAHERTY
BELIEVEAU PACHIOS & HALEY, LLP

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Ian Inman, an individual; Richard Inman, an individual; Diane Inman, an individual; and Jungle Pulse, Inc., a California Corp.,

Plaintiffs,

vs.

Jungle Quest Franchising, LLC; William E. Gabbard; Kevin P. Hein; James S. Molloy; Douglas W. Root; and Preti Flaherty Believeau Pachios & Halley, LLP,

Defendants.

CASE NO. C 09-05584 CW

**STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL WITH
PREJUDICE**

JUDGE: Hon. Claudia Wilken

FILE DATE: April 8, 2010

TRIAL DATE: Not Set Yet

TO THIS HONORABLE COURT:

SUBJECT TO COURT APPROVAL, Plaintiffs IAN INMAN, RICHARD INMAN, DIANE INMAN, and JUNGLE PULSE, INC. ("PLAINTIFFS") and Defendant PRETI, FLAHERTY, BELIEVEAU, PACHIOS & HALEY, LLP ("PRETI") (collectively "the Parties"), through their respective attorneys of record, HEREBY STIPULATE AS FOLLOWS:

WHEREAS, PLAINTIFFS filed their Complaint in this Court on November 24, 2009 ("Complaint") alleging causes of action for violations of the California franchise investment law and the California unfair business practices law, fraud and deceit, negligent misrepresentation, breach of contract, and for declaratory relief against Defendants JUNGLE QUEST

1 FRANCHISING LLC, WILLIAM E. GABBARD, KEVIN P. HEIN, JAMES S. MOLLOY, and
2 DOUGLAS W. ROOT (collectively "JUNGLE QUEST") and causes of action for negligence,
3 negligent misrepresentation, unfair business practices and declaratory relief against PRETI.

4 WHEREAS, the PLAINTIFFS and JUNGLE QUEST reached an agreement to settle the
5 causes of action asserted by PLAINTIFFS against JUNGLE QUEST in the Complaint and a
6 dismissal with prejudice was filed with this Court on April 29, 2010.

7 WHEREAS, the PLAINTIFFS and PRETI also reached an agreement in which the
8 Plaintiffs conditionally dismissed their action against PRETI, which dismissal would become
9 final upon the completion of the settlement between PLAINTIFFS and JUNGLE QUEST. The
10 Order approving the conditional dismissal between PRETI and PLAINTIFFS was filed with this
11 Court on April 21, 2010.

12 WHEREAS, with the settlement between PLAINTIFFS and JUNGLE QUEST
13 concluded, and a dismissal with prejudice as to JUNGLE QUEST filed, the conditions of the
14 conditional dismissal between PRETI and PLAINTIFFS have been fulfilled. Accordingly,
15 PLAINTIFFS have agreed to dismiss PRETI from the above captioned action, with prejudice.

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17 **IT IS SO STIPULATED.**

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20 DATED: April 30, 2010 Respectfully submitted,

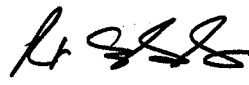
21
22 LEWIS BRISBOIS BISGAARD & SMITH LLP

23 By 

24 Alex Graft
25 Attorneys for Preti Flaherty Believeau Pachios &
26 Halley, LLP

27 DATED: April 30, 2010

28 LAGARIAS & BOULTER, LLP

By 

Robert S. Boulter
Attorneys for Plaintiffs IAN INMAN, RICHARD
INMAN, DIANE INMAN, AND JUNGLE PULSE, INC.

ORDER

Having considered the foregoing Stipulation, and good cause appearing therefore **IT IS
HEREBY ORDERED** that:

1. The Stipulation for Dismissal With Prejudice between Defendant PRETI,
FLAHERTY, BELIEVEAU, PACHIOS & HALEY, LLP, on the one hand, and Plaintiffs IAN
INMAN, RICHARD INMAN, DIANE INMAN, and JUNGLE PULSE, INC. (collectively
"PLAINTIFFS"), on the other hand, is **GRANTED** and PLAINTIFFS' claims against PRETI
are hereby **DISMISSED WITH PREJUDICE**.

2. With the dismissal, with prejudice, of PRETI, and the dismissal, with prejudice,
of JUNGLE QUEST, filed on April 29, 2010, the above captioned case shall be dismissed, in its
entirety, with prejudice.

IT IS SO ORDERED.

Dated: 6/3/2010


Hon. Claudia Wilkin

FEDERAL COURT PROOF OF SERVICE
Inman, et al. v. Jungle Quest Franchising, LLC, et al.
 U.S.D.C., Northern District, Case No. C 09 5584

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

At the time of service, I was over 18 years of age and not a party to the action. My business address is One Sansome Street, Suite 1400, San Francisco, California 94104. I am employed in the office of a member of the bar of this Court at whose direction the service was made.

On May 13, 2010, I served the following document(s): **STIPULATION AND [PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE.**

I served the documents on the following persons at the following addresses (including fax numbers and e-mail addresses, if applicable):

Counsel for Plaintiffs

Robert S. Boulter, Esq.
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Counsel for Defendants JUNGLE QUEST FRANCHISING LLC, WILLIAM E. GABBARD, KEVIN P. HEIN, JAMES S. MOLLOY and DOUGLAS W. ROOT

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The documents were served by the following means:

☒ (BY U.S. MAIL) I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed above and (specify one):

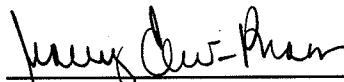
☐ Deposited the sealed envelope or package with the U.S. Postal Service, with the postage fully prepaid.

☒ Placed the envelope or package for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice for collection and processing correspondence for mailing. Under that practice, on the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope of package with the postage fully prepaid.

☒ (BY COURT'S CM/ECF SYSTEM) Pursuant to Local Rule, I electronically filed the documents with the Clerk of the Court using the CM/ECF system, which sent notification of that filing to the persons listed above.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on May 13, 2010, at San Francisco, California.



 Nancy Lew-Pham